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December 18, 2001

Rebecca Duke
202-828-1857

RECEIVED

Internet Address:
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VIA HAND DELIVERY

DEC 18 2001

Magalie Roman Salas, Esq.
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: In the Matter of Amendment of Section 73.622(b), Table of Allotments,
Digital Television Broadcast Stations (Silver City, NM), MM Docket
No. 01-310/RM-10311

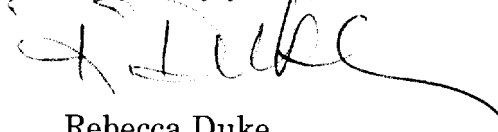
Dear Ms. Salas:

Transmitted herewith, on behalf of KOB-TV, LLC, licensee of station KOBG-TV, Silver City, New Mexico, are an original and four (4) copies of its comments filed in the referenced proceeding to amend the digital television Table of Allotments.

An extra copy of the filing is enclosed. Please date-stamp the extra copy and return it to the courier for return to me.

Should you have any questions concerning this matter, please contact the undersigned.

Very truly yours,



Rebecca Duke

Enclosure

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**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION**
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Amendment of Section 73.622(b),)	MM Docket No. 01-310
Table of Allotments,)	RM-10311
Digital Television Broadcast)	
Stations. (Silver City, NM))	

To: Chief, Video Services Division:

Comments of KOB-TV, LLC

KOB-TV, LLC, licensee of television station KOBG-TV, NTSC Channel 6, Silver City, New Mexico (Facility ID Number 85114), filed a Petition for Rule Making on August 7, 2001, requesting an amendment to the digital television Table of Allotments, 47 C.F.R. § 73.622(b), to add DTV channel 8 to Silver City, New Mexico and allot DTV Channel 8 to KOBG-TV.¹ The Commission released a Notice of Proposed Rule Making asking for comments on the following proposed amendment of the DTV Table of Allotment:

	<u>Channel No.</u>	
<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Silver City, NM	12, *33	8, 12, *33

KOB-TV, LLC, by and through its undersigned attorneys, hereby files its comments in response to the Notice of Proposed Rule Making. For the reasons set forth below, and as demonstrated by the Engineering Report attached

¹ KOBG-TV was not previously allotted a DTV channel as KOBG-TV was authorized after the DTV Table of Allotments was created. KOB-TV, LLC acquired the license for KOBG-TV in the FCC's Broadcast Auction Number 25, Closed Broadcast Auction, conducted on September

hereto, KOB-TV, LLC submits that the proposed amendment to the DTV Table of Allotments is consistent with the Commission's Rules and will serve the public interest.

I. The Allotment Complies with FCC Technical Requirements.

As set forth in the attached Engineering Report, the proposed DTV channel addition is fully consistent with the requirements of Section 73.623(d) and 73.625(a) of the Commission's Rules. In particular, the proposal: (1) complies with the principal community coverage requirements of Section 73.625(a); (2) can be made without disrupting any of the other DTV allotments made in the *Allotment Reconsideration Order*, as amended by subsequent Commission proceedings; (3) will not result in more than an additional two percent of the population served by any other DTV station, DTV allotment or analog television broadcast station being subject to interference; (4) will not result in any new interference to stations that already experience interference to ten percent or more of their population; (5) will not result in interference that would cause another station to begin experiencing interference to greater than ten percent of its population; (6) demonstrates compliance with the principle community coverage requirements of Section 73.625(a); and (7) meets the requirements of Section 73.623(d) for geographic spacing with regard to all other DTV stations, DTV allotments and analog TV stations.

II. The Allotment Benefits the Public Interest

The proposed DTV Channel 8 allotment will benefit the public because it will optimize the community's local DTV service. KOB-TV, LLC affirms that if


28, 1999. The DTV Table of Allotments was adopted effective June 13, 1997, prior to KOB-

Channel 8 is allotted to the Silver City, New Mexico market, KOB-TV, LLC will promptly file an application for a DTV construction permit and, if KOB-TV, LLC's application is granted by the Commission, KOB-TV, LLC will promptly construct facilities to operate on Channel 8.

WHEREFORE, for the reasons set forth above, KOB-TV, LLC respectfully requests that the Commission amend the DTV Table of Allotments to add DTV Channel 8 and allot DTV Channel 8 to KOBG-TV.

Respectfully submitted,

KOB-TV, LLC

By: 
Marvin Rosenberg
Rebecca Duke
HOLLAND & KNIGHT LLP
2099 Pennsylvania Ave., N.W.
Suite 100
Washington, D.C. 20006
Tel: (202) 955-3000

Its Attorneys

Dated: December 18, 2001

WAS1 #1042872 v2

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE DTV ALLOTMENT TABLE
SILVER CITY, NEW MEXICO

Technical Statement

This Technical Statement and associated Figures have been prepared on behalf of KOBG-TV on Channel 6 assigned to Silver City, New Mexico. Since KOBG-TV was authorized after the DTV Table of Allotments was created, a paired DTV channel was not assigned. Therefore, this Petition seeks to obtain a paired DTV Channel for KOBG-TV.

DTV channel 8 can be allotted to Silver City, New Mexico in compliance with the principal community coverage requirements of Section 73.625(a) with the proposed facilities:

State & City	DTV Channel	DTV ERP (kW)	Antenna Radiation Center	Antenna HAAT (m)
NM, Silver City	8	14 kW	2527 m AMSL	502 m
Note: Non-Directional Antenna				
Reference Coordinates: 32° 51' 49" N. Latitude/108° 14' 27" W. Longitude				

The proposed DTV reference coordinates are also the geographic coordinates of the authorized KOBG-TV NTSC facility.¹

It is also proposed to amend the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, as follows:

¹ See FCC File Number: BPCT-20000908ABV.

<u>City</u>	<u>Present</u>	<u>Channel No.</u>	<u>Proposed</u>
Silver City, NM	12, *33		8, 12, *33

Proposal

Figure 1 is a coverage map showing the predicted noise-limited and City Grade contour for the herein proposed Channel 8 facility. Also shown are the city limits of Silver City. As indicated, all of Silver City is located within both the noise-limited coverage contour and City Grade contour. Therefore, the proposed channel 8 DTV allotment will comply with the city coverage requirements contained in Section 73.625(a).

The distance from the proposed allotment site to the closest point of the U.S./Mexican common border is 119 kilometers. Therefore, coordination with Mexico is required, as the distance is less than 275 kilometers.

Section 73.622(a) of the Commission's Rules states that proposals to add a new DTV allotment must satisfy the minimum distance separation criteria specified in Section 73.623(d). Figure 2 is an allocation study showing that the proposed reference site satisfies the Commission's minimum distance separations to all Domestic and Mexican DTV and NTSC allotments.

Class A [LPTV] Impact

There are no Class A eligible low power television stations (LPTV) within 500 kilometers of the herein proposed allotment reference site on Channels 7, 8 or 9. Therefore, it is obvious that the herein proposal would not adversely impact any Class A facility.

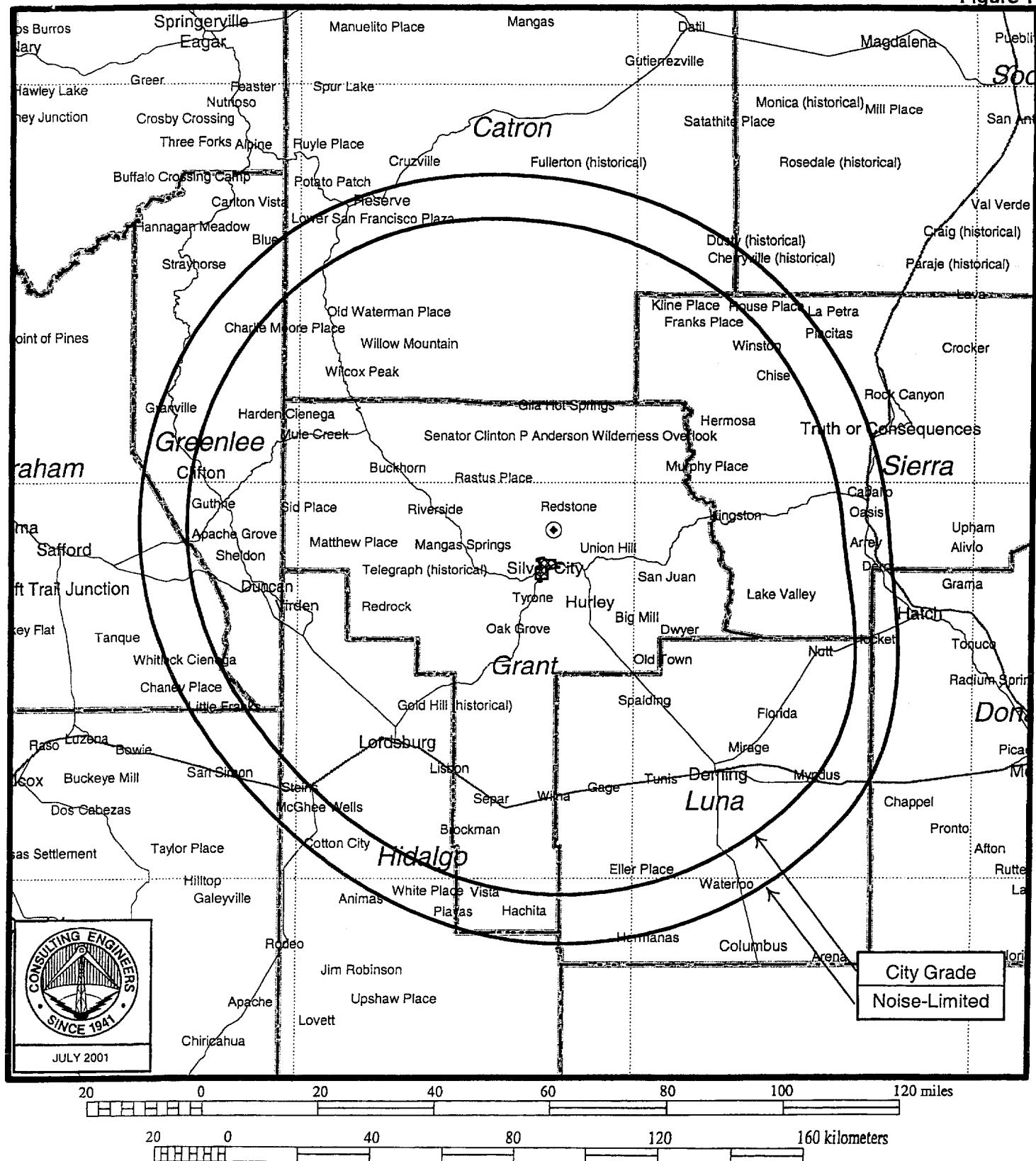
A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Charles Cooper

du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
Sarasota, Florida 32437
941.329.6000

July 11, 2001

Figure 1



FCC PREDICTED COVERAGE CONTOURS

KOB-TV, INC.
SILVER CITY, NEW MEXICO
CH 8 14 KW 502 M

du Treil, Lundin & Rackley, Inc., Sarasota, Florida

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE DTV ALLOTMENT TABLE
SILVER CITY, NEW MEXICO

DTV Allocation Study

DTV CHANNEL 8
ZONE II

Geographic Coordinates:
32-51-49 North Latitude
108-14-27 West Longitude

Call Id	City St	Status	File Num	Channel Zone	ERP HAAT	DA Id	Latitude Longitude	Bear	Dist. (km)	Req. min	max
KVIA-T 49832	EL PASO	BPCT TX CP C	20000214AB	7(Z) II	316.0 592	N 31624	31-48-18 106-28-58	125.0	202.9	11.0	125.0
KVIA-T 49832	EL PASO	BLCT TX LIC C	19780901KG	7(Z) II	316.0 265		31-47-15 106-28-47	125.4	204.3	11.0	125.0
NTSC 96862	NUEVA CASAS	CH C		8(+)			30-24-36 107-54-30	173.3	274.6	273.0	273.0
NTSC	NUEVO CASAS	CH MEX		8()			30-24-11 107-54-18	173.3	275.4	273.0	273.0
K08IJ 53920	GALLUP	NM C		8(-) II			35-31-30 108-44-30	351.3	298.8	273.6	273.6
KAET 2728	PHOENIX	BLET AZ LIC C	19840718KF	8(+) II	316.0 536	N 40032	33-20-00 112-03-49	279.4	360.6	273.6	273.6
KTSM-T 67760	EL PASO	BLCT TX LIC C	2215	9(Z) II	316.0 582		31-48-18 106-28-57	125.0	202.9	11.0	125.0